



House of Representatives

General Assembly

File No. 700

January Session, 2011

Substitute House Bill No. 6591

House of Representatives, May 3, 2011

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING MINOR AND TECHNICAL CHANGES TO THE CHILD SUPPORT STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 11-4a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 Each commission, task force or committee appointed by the
4 Governor or the General Assembly, or both, and required to report its
5 findings and recommendations, and each state agency which submits a
6 report to the General Assembly or any committee of the General
7 Assembly, shall submit its report to the clerks of the Senate and the
8 House of Representatives, and shall file with the State Librarian as
9 many copies of such report as the commission, task force, committee or
10 agency and the librarian jointly deem appropriate, and one copy with
11 the Office of Legislative Research. Any report submitted pursuant to
12 subsection (n) of section 17b-179, as amended by this act, may be in
13 electronic form.

14 Sec. 2. Subsections (b) to (i), inclusive, of section 17b-179 of the
15 general statutes are repealed and the following is substituted in lieu
16 thereof (*Effective October 1, 2011*):

17 (b) (1) The Commissioner of Social Services shall, in the manner
18 provided in section 17b-81, investigate the financial condition of the
19 parent or parents of: (A) Any child applying for or receiving assistance
20 under the provisions of sections 17b-807 and 17b-808 and the
21 temporary family assistance [for needy families] program, which may
22 be referred to as ["TANF"] "TFA" for the purposes of this section, (B)
23 any child seeking IV-D child support enforcement services, and (C)
24 any child committed to the care of the Commissioner of Children and
25 Families who is receiving payments in the foster care program, and
26 shall determine the financial liability of such parent or parents for the
27 child.

28 (2) The Bureau of Child Support Enforcement may, upon notice to
29 the obligor and obligee, redirect payments for the support of all such
30 children to either the state of Connecticut or the present custodial
31 party, as their interests may appear, provided neither the obligor nor
32 the obligee objects in writing within ten business days from the
33 mailing date of such notice. Any such notice shall be sent by first class
34 mail to the most recent address of such obligor and obligee, as
35 recorded in the state case registry pursuant to section 46b-218, and a
36 copy of such notice shall be filed with the court or family support
37 magistrate if both the obligor and obligee fail to object to the redirected
38 payments within ten business days from the mailing date of such
39 notice. All payments shall be distributed as required by Title IV-D of
40 the Social Security Act.

41 (c) The [Connecticut] Bureau of Child Support Enforcement
42 [Bureau] shall enter into cooperative agreements with appropriate
43 officials of the Judicial [Department] Branch and law enforcement
44 officials to assist in administering the child support enforcement plan
45 and with respect to other matters of common concern in the area of
46 child support enforcement. Officers of the Judicial [Department]

47 Branch and law enforcement officials authorized and required to enter
48 into cooperative agreements with the [Connecticut] Bureau of Child
49 Support Enforcement [Bureau] include, but are not limited to, [the]
50 officials of the Superior Court and the office of the Attorney General.
51 Such cooperative agreements shall contain performance standards to
52 address the mandatory provisions of both state and federal laws and
53 federal regulations concerning child support.

54 (d) The [Connecticut] Bureau of Child Support Enforcement
55 [Bureau] shall have authority to determine on a periodic basis whether
56 any individuals who owe child support obligations are receiving
57 unemployment compensation. In IV-D cases, the bureau may
58 authorize the collection of any such obligations owed by an individual
59 receiving unemployment compensation through an agreement with
60 the individual or a court order pursuant to section 52-362, as amended
61 by this act, under which a portion of the individual's unemployment
62 compensation is withheld and forwarded to the state [agency] acting
63 by and through the IV-D agency. As used in this section, [the term]
64 "unemployment compensation" means any compensation payable
65 under chapter 567, including amounts payable by the administrator of
66 the unemployment compensation law pursuant to an agreement under
67 any federal law providing for compensation, assistance or allowances
68 with respect to unemployment.

69 (e) The Bureau of Child Support Enforcement [Bureau] shall enter
70 into purchase of service agreements with other state officials,
71 departments and agencies which do not have judicial or law
72 enforcement authority, including, but not limited to, the Commissioner
73 of Administrative Services, to assist in administering the child support
74 enforcement plan. The Bureau of Child Support Enforcement [Bureau]
75 shall have authority to enter into such agreements with the Labor
76 Commissioner and to withhold unemployment compensation
77 pursuant to subsection (d) of this section and section 31-227.

78 (f) The [Connecticut] Bureau of Child Support Enforcement
79 [Bureau] shall have the sole responsibility to make referrals to the

80 federal Parent Locator Service established pursuant to 88 Stat. 2353
81 (1975), 42 USC 653, as amended, for the purpose of locating deserting
82 parents.

83 (g) The [Connecticut] Bureau of Child Support Enforcement
84 [Bureau] shall have the sole responsibility to make recommendations
85 to the Governor and the General Assembly for needed program
86 legislation to ensure implementation of Title IV-D of the Social Security
87 Act, as amended.

88 (h) (1) The [Connecticut] Bureau of Child Support Enforcement
89 [Bureau] shall provide, or arrange to provide through one or more of
90 the state [offices] officials, departments and agencies the same services
91 for obtaining and enforcing child support orders in cases in which
92 children are not beneficiaries of [TANF] TFA, Medicaid or foster care
93 as in cases where children are the beneficiaries of [such aid] TFA,
94 Medicaid or foster care. Such services shall also be made available to
95 residents of other states on the same terms as to residents of this state.
96 Support services in [non-TANF support] cases other than TFA,
97 Medicaid or foster care will be provided upon application to the
98 [Connecticut] Bureau of Child Support Enforcement by the person
99 seeking to enforce a child support obligation and the payment of an
100 application fee, pursuant to the provisions of subsection (i) of this
101 section.

102 (2) In addition to the application fee, the [Connecticut] Bureau of
103 Child Support Enforcement [Bureau] may assess costs incurred for the
104 establishment, enforcement or modification of a support order in [non-
105 TANF] cases other than TFA, Medicaid or foster care. Such assessment
106 shall be based on a fee schedule adopted by the Department of Social
107 Services pursuant to chapter 54. The fee schedule to be charged in
108 [non-TANF support] such cases shall be made available to any
109 individual upon request. The Bureau of Child Support Enforcement
110 [Bureau] shall adopt procedures for the notification of Superior Court
111 judges and family support magistrates when a fee has been assessed
112 upon an obligee for support services and a Superior Court judge or a

113 family support magistrate shall order the obligor to pay any such
114 assessment to the Bureau of Child Support Enforcement. [Bureau.] In
115 cases where such order is not entered, the obligee shall pay an amount
116 based on a sliding scale not to exceed the obligee's ability to pay. The
117 Department of Social Services shall adopt such sliding scale pursuant
118 to chapter 54.

119 (3) The [Connecticut] Bureau of Child Support Enforcement
120 [Bureau] shall also, in the case of an individual who never received
121 temporary assistance for needy families and for whom the state has
122 collected at least five hundred dollars of support in a one-year period,
123 impose an annual fee of twenty-five dollars for each case in which
124 services are furnished. The annual fee shall be (A) retained by the state
125 from the support collected on behalf of the individual, but not from the
126 first five hundred dollars collected, (B) paid by the individual applying
127 for the services, (C) recovered from the noncustodial parent, or (D)
128 paid by the state.

129 (i) In [non-TANF] child support cases other than TFA, Medicaid or
130 foster care, the state shall impose an application fee in an amount
131 necessary to comply with federal law and regulations under Title IV-D
132 of the Social Security Act, which fee shall be paid by the state. The
133 amount of such fee shall be established by regulations adopted, in
134 accordance with the provisions of chapter 54, by the Commissioner of
135 Social Services and shall not exceed twenty-five dollars or such higher
136 or lower amount as the Secretary of the Department of Health and
137 Human Services may determine to be appropriate for any fiscal year to
138 reflect increases or decreases in administrative costs. The court in
139 which a child support obligation is sought to be enforced may order
140 the obligor to reimburse the state for such application fee. Recipients of
141 [TANF or] TFA, Medicaid [assistance] or foster care whose eligibility
142 for aid is terminated shall be entitled to continuation of child support
143 enforcement services without requiring an application or the payment
144 of an application fee.

145 Sec. 3. Subsection (l) of section 17b-179 of the general statutes is

146 repealed and the following is substituted in lieu thereof (*Effective*
147 *October 1, 2011*):

148 (l) The [Connecticut] Bureau of Child Support Enforcement [Bureau]
149 shall arrange to provide a single centralized automated system for the
150 reporting of collections on all accounts established for the collection of
151 all IV-D support orders. Such reporting shall be made available to the
152 Family Support Magistrate Division and to all state agencies which
153 have a cooperative agreement with the IV-D agency. [On or before
154 October 1, 1998, such] Such automated system shall include a state case
155 registry which complies with federal law and regulations. The state
156 case registry shall contain information on each support order
157 established or modified in this state.

158 Sec. 4. Subsection (n) of section 17b-179 of the general statutes is
159 repealed and the following is substituted in lieu thereof (*Effective*
160 *October 1, 2011*):

161 (n) Each year, on or before April first, the IV-D agency, in
162 accordance with section 11-4a, as amended by this act, shall submit to
163 the joint standing committees of the General Assembly having
164 cognizance of matters relating to the judiciary and human services an
165 assessment report on the administration and performance of the child
166 support enforcement program during the preceding federal fiscal year.
167 Such report may be submitted in electronic form.

168 Sec. 5. Subsection (b) of section 17b-745 of the general statutes is
169 repealed and the following is substituted in lieu thereof (*Effective*
170 *October 1, 2011*):

171 (b) Except as provided in sections 46b-212 to [46b-213v] 46b-213w,
172 inclusive, as amended by this act, any court or family support
173 magistrate, called upon to enforce a support order, shall insure that
174 such order is reasonable in light of the obligor's ability to pay. Except
175 as provided in sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
176 amended by this act, any support order entered pursuant to this
177 section, or any support order from another jurisdiction subject to

178 enforcement by the state of Connecticut, may be modified by motion of
179 the party seeking such modification, including Support Enforcement
180 Services in IV-D support cases, as defined in subdivision (13) of
181 subsection (b) of section 46b-231, as amended by this act, upon a
182 showing of a substantial change in the circumstances of either party or
183 upon a showing that the final order for child support substantially
184 deviates from the child support guidelines established pursuant to
185 section 46b-215a, as amended by this act, unless there was a specific
186 finding on the record that the application of the guidelines would be
187 inequitable or inappropriate, provided the court or family support
188 magistrate finds that the obligor or the obligee and any other
189 interested party have received actual notice of the pendency of such
190 motion and of the time and place of the hearing on such motion. There
191 shall be a rebuttable presumption that any deviation of less than fifteen
192 per cent from the child support guidelines is not substantial and any
193 deviation of fifteen per cent or more from the guidelines is substantial.
194 Modification may be made of such support order without regard to
195 whether the order was issued before, on or after May 9, 1991. In any
196 hearing to modify any support order from another jurisdiction the
197 court or the family support magistrate shall conduct the proceedings in
198 accordance with [the procedure set forth in] sections 46b-213o to [46b-
199 213q] 46b-213r, inclusive. No such support orders may be subject to
200 retroactive modification except that the court or family support
201 magistrate may order modification with respect to any period during
202 which there is a pending motion for a modification of an existing
203 support order from the date of service of notice of such pending
204 motion upon the opposing party pursuant to section 52-50.

205 Sec. 6. Subdivision (4) of subsection (b) of section 46b-56c of the
206 general statutes is repealed and the following is substituted in lieu
207 thereof (*Effective October 1, 2011*):

208 (4) On motion or petition of a parent, the court may enter an
209 educational support order at the time of entering an order pursuant to
210 any other provision of the general statutes authorizing the court to
211 make an order of support for a child, subject to the provisions of

212 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
213 act.

214 Sec. 7. Section 46b-62 of the general statutes is repealed and the
215 following is substituted in lieu thereof (*Effective October 1, 2011*):

216 In any proceeding seeking relief under the provisions of this chapter
217 and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to [46b-
218 213v] 46b-213w, inclusive, as amended by this act, 47-14g, 51-348a and
219 52-362, as amended by this act, the court may order either spouse or, if
220 such proceeding concerns the custody, care, education, visitation or
221 support of a minor child, either parent to pay the reasonable attorney's
222 fees of the other in accordance with their respective financial abilities
223 and the criteria set forth in section 46b-82. If, in any proceeding under
224 this chapter and said sections, the court appoints an attorney for a
225 minor child, the court may order the father, mother or an intervening
226 party, individually or in any combination, to pay the reasonable fees of
227 the attorney or may order the payment of the attorney's fees in whole
228 or in part from the estate of the child. If the child is receiving or has
229 received state aid or care, the compensation of the attorney shall be
230 established and paid by the Commission on Child Protection.

231 Sec. 8. Subsection (c) of section 46b-86 of the general statutes is
232 repealed and the following is substituted in lieu thereof (*Effective*
233 *October 1, 2011*):

234 (c) When one of the parties, or a child of the parties, is receiving or
235 has received aid or care from the state under its aid to families with
236 dependent children [program] or temporary family assistance [for
237 needy families] program, HUSKY Plan, Part A, or [under its] foster
238 care program as provided in Title IV-E of the Social Security Act, or
239 [where] when one of the parties has applied for child support
240 enforcement services under Title IV-D of the Social Security Act as
241 provided in section 17b-179, as amended by this act, such motion to
242 modify shall be filed with the Family Support Magistrate Division for
243 determination in accordance with subsection (m) of section 46b-231, as
244 amended by this act.

245 Sec. 9. Section 46b-130 of the general statutes is repealed and the
246 following is substituted in lieu thereof (*Effective October 1, 2011*):

247 The parents of a minor child for whom care or support of any kind
248 has been provided under the provisions of this chapter shall be liable
249 to reimburse the state for such care or support to the same extent, and
250 under the same terms and conditions, as are the parents of recipients of
251 public assistance. Upon receipt of foster care maintenance payments
252 under Title IV-E of the Social Security Act by a minor child, the right of
253 support, [present,] past, present and future, from a parent of such child
254 shall, by this section, be assigned to the Commissioner of Children and
255 Families, and the parents shall assist the commissioner in pursuing
256 such support. On and after October 1, 2008, such assignment shall
257 apply only to such support rights as accrue during the period of
258 assistance, not to exceed the total amount of assistance provided to the
259 child under Title IV-E. Referral by the commissioner shall promptly be
260 made to the Bureau of Child Support Enforcement [Unit] of the
261 Department of Social Services for pursuit of support for such minor
262 child in accordance with the provisions of section 17b-179, as amended
263 by this act. Any child who reimburses the state under the provisions of
264 subsection (l) of section 46b-129 for any care or support such child
265 received shall have a right of action to recover such payments from
266 such child's parents.

267 Sec. 10. Subsection (a) of section 46b-168a of the general statutes is
268 repealed and the following is substituted in lieu thereof (*Effective*
269 *October 1, 2011*):

270 (a) In any IV-D support case, as defined in subdivision (13) of
271 subsection (b) of section 46b-231, as amended by this act, in which the
272 paternity of a child is at issue, or in any case in which a support
273 enforcement agency is providing services to a petitioner in a
274 proceeding under sections 46b-212 to [46b-213v] 46b-213w, inclusive,
275 as amended by this act, in which the paternity of a child is at issue, the
276 IV-D agency or the support enforcement agency shall require the child
277 and all other parties other than individuals who have good cause for

278 refusing to cooperate or who are subject to other exceptions to submit
279 to genetic tests which shall mean deoxyribonucleic acid tests, to be
280 performed by a hospital, accredited laboratory, qualified physician or
281 other qualified person designated by such agency, to determine
282 whether or not the putative father or husband is the father of the child,
283 upon the request of any such party, provided such request is
284 supported by a sworn statement by the party which either (1) alleges
285 paternity and sets forth facts establishing a reasonable possibility of
286 the requisite sexual contact between the parties, or (2) denies paternity
287 and sets forth facts establishing a reasonable possibility of the
288 nonexistence of sexual contact between the parties.

289 Sec. 11. Section 46b-170 of the general statutes is repealed and the
290 following is substituted in lieu thereof (*Effective October 1, 2011*):

291 No [such] petition under section 46b-160 shall be withdrawn except
292 upon approval of a judge or in IV-D support cases as defined in
293 subsection (b) of section 46b-231, as amended by this act, and petitions
294 brought under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
295 amended by this act, the family support magistrate assigned to the
296 judicial district in which the petition was brought. Any agreement of
297 settlement, before or after a petition has been brought, other than an
298 agreement made under the provisions of section 46b-172, as amended
299 by this act, between the mother and putative father shall take effect
300 only upon approval of the terms thereof by a judge of the Superior
301 Court, or family support magistrate assigned to the judicial district in
302 which the mother or the putative father resides and, in the case of
303 children supported by the state or the town, on the approval of the
304 Commissioner of Social Services or the Attorney General. When so
305 approved, such agreements shall be binding upon all persons
306 executing them, whether such person is a minor or an adult.

307 Sec. 12. Subdivision (3) of subsection (a) of section 46b-171 of the
308 general statutes is repealed and the following is substituted in lieu
309 thereof (*Effective October 1, 2011*):

310 (3) The court or family support magistrate may also make and

311 enforce orders for the payment by any person named herein of past-
312 due support for which the defendant is liable in accordance with the
313 provisions of section 17b-81, 17b-223, subsection (b) of section 17b-179,
314 as amended by this act, section 17a-90, 46b-129 or 46b-130, as amended
315 by this act, and, in IV-D cases, [and] order such person, provided such
316 person is not incapacitated, to participate in work activities which may
317 include, but shall not be limited to, job search, training, work
318 experience and participation in the job training and retraining program
319 established by the Labor Commissioner pursuant to section 31-3t. The
320 defendant's liability for past-due support under this subdivision shall
321 be limited to the three years next preceding the filing of the petition.

322 Sec. 13. Subdivision (1) of subsection (b) of section 46b-172 of the
323 general statutes is repealed and the following is substituted in lieu
324 thereof (*Effective October 1, 2011*):

325 (b) (1) An agreement to support the child by payment of a periodic
326 sum until the child attains the age of eighteen years or as otherwise
327 provided in this subsection, together with provisions for
328 reimbursement for past-due support based upon ability to pay in
329 accordance with the provisions of subsection (b) of section 17b-179, as
330 amended by this act, or section 17a-90, 17b-81, 17b-223, 46b-129 or 46b-
331 130, as amended by this act, and reasonable expense of prosecution of
332 the petition, when filed with and approved by a judge of the Superior
333 Court, or in IV-D support cases and matters brought under sections
334 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this act, a
335 family support magistrate at any time, shall have the same force and
336 effect, retroactively or prospectively in accordance with the terms of
337 [said] the agreement, as an order of support entered by the court, and
338 shall be enforceable and subject to modification in the same manner as
339 is provided by law for orders of the court in such cases. If such child is
340 unmarried and a full-time high school student, such support shall
341 continue according to the parents' respective abilities to pay, if such
342 child is in need of support, until such child completes the twelfth
343 grade or attains the age of nineteen, whichever occurs first.

344 Sec. 14. Subdivision (1) of subsection (c) of section 46b-172 of the
345 general statutes is repealed and the following is substituted in lieu
346 thereof (*Effective October 1, 2011*):

347 (c) (1) At any time after the signing of any acknowledgment of
348 paternity, upon the application of any interested party, the court or
349 any judge thereof or any family support magistrate in IV-D support
350 cases and in matters brought under sections 46b-212 to [46b-213v] 46b-
351 213w, inclusive, as amended by this act, shall cause a summons, signed
352 by such judge or family support magistrate, by the clerk of the court or
353 by a commissioner of the Superior Court, to be issued, requiring the
354 acknowledged father to appear in court at a time and place as
355 determined by the clerk but not more than ninety days after the
356 issuance of the summons, to show cause why the court or the family
357 support magistrate assigned to the judicial district in IV-D support
358 cases should not enter judgment for support of the child by payment of
359 a periodic sum until the child attains the age of eighteen years or as
360 otherwise provided in this subsection, together with provision for
361 reimbursement for past-due support based upon ability to pay in
362 accordance with the provisions of subsection (b) of section 17b-179, as
363 amended by this act, or section 17a-90, 17b-81, 17b-223, 46b-129 or 46b-
364 130, as amended by this act, a provision for health coverage of the
365 child as required by section 46b-215, as amended by this act, and
366 reasonable expense of the action under this subsection. If such child is
367 unmarried and a full-time high school student such support shall
368 continue according to the parents' respective abilities to pay, if such
369 child is in need of support, until such child completes the twelfth
370 grade or attains the age of nineteen, whichever occurs first.

371 Sec. 15. Section 46b-207 of the general statutes is repealed and the
372 following is substituted in lieu thereof (*Effective October 1, 2011*):

373 The court is authorized to establish and maintain Support
374 Enforcement Services and such offices thereof as it determines are
375 necessary for the proper handling of the administrative details incident
376 to proceedings under sections 46b-212 to [46b-213v] 46b-213w,

377 inclusive, as amended by this act, and may appoint such personnel as
378 necessary for the proper administration of the nonjudicial functions of
379 proceedings under sections 46b-212 to [46b-213v] 46b-213w, inclusive,
380 as amended by this act.

381 Sec. 16. Section 46b-208 of the general statutes is repealed and the
382 following is substituted in lieu thereof (*Effective October 1, 2011*):

383 The support service investigators of Support Enforcement Services
384 of the Superior Court shall, while acting within the scope of their
385 duties as such, pursuant to matters under sections 46b-212 to [46b-
386 213v] 46b-213w, inclusive, as amended by this act, have the powers of
387 service and of execution of summons and orders for withholding, and
388 the conduct of investigations.

389 Sec. 17. Subsection (a) of section 46b-213d of the general statutes is
390 repealed and the following is substituted in lieu thereof (*Effective*
391 *October 1, 2011*):

392 (a) The Bureau of Child Support Enforcement [Bureau] of the
393 Department of Social Services or its designated collection agent, and
394 any tribunal shall disburse promptly any amounts received pursuant
395 to a support order, as directed by the order. The bureau, agent or
396 tribunal shall furnish to a requesting party or tribunal of another state
397 a certified statement by the custodian of the record of the amounts and
398 dates of all payments received.

399 Sec. 18. Subsection (b) of section 46b-215 of the general statutes is
400 repealed and the following is substituted in lieu thereof (*Effective*
401 *October 1, 2011*):

402 (b) The Attorney General of the state of Connecticut and the
403 attorney representing a town [.] shall become a party for the interest of
404 the state of Connecticut and such town [.] in any proceedings for
405 support which concerns any person who is receiving or has received
406 public assistance or care from the state or any town. The Attorney
407 General shall represent the IV-D agency in [non-TANF] non-TFA IV-D

408 support cases if the IV-D agency determines that such representation is
409 required pursuant to guidelines issued by the Commissioner of Social
410 Services.

411 Sec. 19. Subsection (e) of section 46b-215 of the general statutes is
412 repealed and the following is substituted in lieu thereof (*Effective*
413 *October 1, 2011*):

414 (e) [Any] Except as provided in sections 46b-212 to 46b-213w,
415 inclusive, as amended by this act, any court or family support
416 magistrate, called upon to enforce a support order, shall insure that
417 such order is reasonable in light of the obligor's ability to pay. [Any]
418 Except as provided in sections 46b-212 to 46b-213w, inclusive, as
419 amended by this act, any support order entered pursuant to this
420 section, or any support order from another jurisdiction subject to
421 enforcement by the state of Connecticut, may be modified by motion of
422 the party seeking such modification upon a showing of a substantial
423 change in the circumstances of either party or upon a showing that
424 such support order substantially deviates from the child support
425 guidelines established pursuant to section 46b-215a, as amended by
426 this act, unless there was a specific finding on the record that the
427 application of the guidelines would be inequitable or inappropriate,
428 provided the court or family support magistrate finds that the obligor
429 or the obligee and any other interested party have received actual
430 notice of the pendency of such motion and of the time and place of the
431 hearing on such motion. There shall be a rebuttable presumption that
432 any deviation of less than fifteen per cent from the child support
433 guidelines is not substantial and any deviation of fifteen per cent or
434 more from the guidelines is substantial. Modification may be made of
435 such support order without regard to whether the order was issued
436 before, on or after May 9, 1991. No such support orders may be subject
437 to retroactive modification, except that the court or family support
438 magistrate may order modification with respect to any period during
439 which there is a pending motion for a modification of an existing
440 support order from the date of service of the notice of such pending
441 motion upon the opposing party pursuant to section 52-50. In any

442 hearing to modify any support order from another jurisdiction the
443 court or the family support magistrate shall conduct the proceedings in
444 accordance with [the procedure set forth in] sections 46b-213o to [46b-
445 213q] 46b-213r, inclusive.

446 Sec. 20. Section 46b-215a of the general statutes is repealed and the
447 following is substituted in lieu thereof (*Effective October 1, 2011*):

448 (a) The Commission for Child Support Guidelines is established to
449 [review the] issue child support and arrearage guidelines
450 [promulgated pursuant to section 8 of public act 85-548, to establish
451 criteria for the establishment of guidelines] to ensure the
452 appropriateness of criteria for the establishment of child support
453 awards and to review and issue updated guidelines [not later than
454 October 1, 1993, and] every four years. [thereafter. Not later than
455 January 1, 1992, the commission shall also establish criteria and
456 promulgate guidelines to ensure] Such guidelines shall ensure, subject
457 to section 46b-215c, as amended by this act, that [such] current
458 support, health care coverage, child care contribution and orders of
459 payment on any arrearage and past due support shall be based on the
460 income of both parents and the obligor's ability to pay. Such guidelines
461 shall also ensure the appropriateness of periodic [payments of]
462 payment orders on arrearages when the obligor (1) is the child's legal
463 guardian and resides with the child, or (2) is not the child's legal
464 guardian but has resided with the child either for at least six months
465 immediately preceding the order of payment [of] on the arrearage or
466 for at least six months of the twelve months immediately preceding
467 such order. In such cases, the commission shall consider exemptions
468 similar to those in the uniform contribution scale adopted pursuant to
469 section 4a-12. Updated arrearage guidelines shall be issued at the same
470 time as the child support guidelines.

471 (b) The commission shall consist of eleven members as follows:

472 (1) The Chief Court Administrator, or [his] the Chief Court
473 Administrator's designee; [the]

474 (2) The Commissioner of Social Services, or [his] the commissioner's
475 designee; [, the]

476 (3) The Attorney General, or [his] the Attorney General's designee; [,
477 the]

478 (4) The chairpersons and ranking members of the joint standing
479 committee on judiciary, or their designees; [and a]

480 (5) A representative of the Connecticut Bar Association, [a
481 representative of legal services, a person who] designated by the
482 Connecticut Bar Association; and

483 (6) Three members appointed by the Governor, one of whom
484 represents an agency that delivers legal services to the poor, one of
485 whom represents the financial concerns of child support obligors and
486 [a representative of] one of whom represents the Permanent
487 Commission on the Status of Women. [, all of whom shall be appointed
488 by the Governor.]

489 (c) The Commissioner of Social Services shall convene the
490 commission whenever a review is required to issue updated guidelines
491 pursuant to subsection (a) of this section.

492 (d) The chairperson of the commission shall be elected by the
493 members of the commission. A vacancy on the commission at any time
494 shall not invalidate any actions taken by the commission during such
495 vacancy, provided at least nine members of the commission are
496 serving at the time of such action.

497 Sec. 21. Section 46b-215b of the general statutes is repealed and the
498 following is substituted in lieu thereof (*Effective October 1, 2011*):

499 (a) The child support and arrearage guidelines [established] issued
500 pursuant to section 46b-215a, as amended by this act, adopted as
501 regulations pursuant to section 46b-215c, as amended by this act, and
502 in effect on the date of the support determination shall be considered
503 in all determinations of child support award amounts, including any

504 current support, health care coverage, child care contribution and past-
505 due support amounts, and payment on arrearages and past-due
506 support within the state. In all such determinations, there shall be a
507 rebuttable presumption that the amount of such awards which
508 resulted from the application of such guidelines is the amount [of
509 support, including any past-due support, or payment on any arrearage
510 or past-due support] to be ordered. A specific finding on the record
511 that the application of the guidelines would be inequitable or
512 inappropriate in a particular case, as determined under the deviation
513 criteria established by the Commission for Child Support Guidelines
514 under section 46b-215a, as amended by this act, shall be required in
515 order to rebut the presumption in such case.

516 (b) In any determination pursuant to subsection (a) of this section,
517 when a party has been determined by the Social Security
518 Administration, or a state agency authorized to award disability
519 benefits, to qualify for disability benefits under the federal
520 Supplemental Security Income Program, the Social Security disability
521 program, the state supplement to the federal Supplemental Security
522 Income Program, or the state-administered general assistance
523 program, parental earning capacity shall not be a basis for deviating
524 from the presumptive support amount that results from the
525 application of the child support guidelines to such party's income.

526 (c) In any proceeding for the establishment or modification of a
527 child support award, the child support and arrearage guidelines shall
528 be considered in addition to and not in lieu of the criteria for such
529 awards established in sections 46b-84, 46b-86, as amended by this act,
530 46b-130, as amended by this act, 46b-171, as amended by this act, 46b-
531 172, as amended by this act, 46b-215, as amended by this act, 17b-179,
532 as amended by this act, and 17b-745, as amended by this act.

533 Sec. 22. Section 46b-215c of the general statutes is repealed and the
534 following is substituted in lieu thereof (*Effective October 1, 2011*):

535 (a) Notwithstanding the provisions of sections [46b-215] 46b-215a,
536 as amended by this act, and 46b-215b, as amended by this act, updated

537 child support and arrearage guidelines issued by the Commission for
538 Child Support Guidelines pursuant to section 46b-215a, as amended by
539 this act, shall be submitted by the commission to the standing
540 legislative regulation review committee and adopted as regulations in
541 accordance with the provisions of chapter 54.

542 (b) Nothing in this section shall affect the validity of a child support
543 order issued pursuant to any guidelines promulgated pursuant to
544 section 46b-215a, as amended by this act, prior to the approval of [any]
545 such guidelines pursuant to the provisions of this section.

546 Sec. 23. Subsection (b) of section 46b-231 of the general statutes is
547 repealed and the following is substituted in lieu thereof (*Effective*
548 *October 1, 2011*):

549 (b) For the purposes of this section:

550 (1) "Chief Family Support Magistrate" means the family support
551 magistrate designated by the Chief Court Administrator as provided
552 in subsection (g) of this section;

553 (2) "Child support enforcement services" means the services
554 provided by the IV-D agency or an agency under cooperative or
555 purchase of service agreement therewith pursuant to Title IV-D of the
556 Social Security Act, including, but not limited to, location;
557 establishment of paternity; establishment, modification and
558 enforcement of child and medical support orders and the collection
559 and distribution of support payments;

560 (3) "Commissioner" means the Commissioner of Social Services or a
561 designee or authorized representative;

562 (4) "Bureau of Child Support Enforcement" means a division within
563 the Department of Social Services established pursuant to section
564 17b-179, as amended by this act;

565 (5) "Department" means the Department of Social Services or any
566 bureau, division or agency of the Department of Social Services;

567 (6) "Family Support Magistrate Division" means a division of the
568 Superior Court created by this section for the purpose of establishing
569 and enforcing child and spousal support in IV-D cases and in cases
570 brought pursuant to sections 46b-212 to [46b-213v] 46b-213w,
571 inclusive, as amended by this act, utilizing quasi-judicial proceedings;

572 (7) "Family support magistrate" means a person [.] appointed as
573 provided in subsection (f) of this section to establish and enforce child
574 and spousal support orders;

575 (8) "Foster care cases" [are] means cases in which children are
576 receiving foster care under part I of chapter 319a or part I of chapter
577 815t, but does not include cases in which children reside in detention
578 facilities, forestry camps, training schools or other facilities operated
579 primarily for the detention of children adjudicated as delinquent;

580 (9) "Law" [includes] means both [common and statute] statutory and
581 common law;

582 (10) "Obligee" means any person to whom a duty of support is
583 owed;

584 (11) "Obligor" means any person owing a duty of support;

585 (12) "IV-D agency" means the Bureau of Child Support Enforcement
586 within the Department of Social Services, [created by] established
587 pursuant to section 17b-179, as amended by this act, and authorized to
588 administer the child support program mandated by Title IV-D of the
589 Social Security Act;

590 (13) "IV-D support cases" [are those] means cases in which the IV-D
591 agency is providing child support enforcement services under Title IV-
592 D of the Social Security Act [, including all] pursuant to (A) an
593 application under subsection (h) of section 17b-179, as amended by this
594 act, or (B) referral of a (i) temporary family assistance case under
595 section 17b-112, which for the purposes of this section may be referred
596 to as "TFA", (ii) a Medicaid case under section 17b-261, or (iii) a foster
597 care [cases referred to the Bureau of Child Support Enforcement] case

598 under section 46b-130, as amended by this act; and

599 (14) "Support order" means a judgment, decree or order, whether
600 temporary, final or subject to modification, issued by a court of
601 competent jurisdiction or another state's administrative agency of
602 competent jurisdiction, for the support and maintenance of a child,
603 including a child who has attained the age of majority under the law of
604 the issuing state, or [a child and] of the parent with whom the child is
605 living, which provides for monetary support, health care, arrearages or
606 reimbursement, and which may include related costs and fees, interest
607 and penalties, income withholding, attorneys' fees and other relief.

608 Sec. 24. Subsection (f) of section 46b-231 of the general statutes is
609 repealed and the following is substituted in lieu thereof (*Effective*
610 *October 1, 2011*):

611 (f) The Family Support Magistrate Division shall include nine family
612 support magistrates who shall be appointed by the Governor to serve
613 in that capacity for a term of three years. A family support magistrate
614 may be reappointed by the Governor upon completion of [his] each
615 term of office. [by the Governor.] To be eligible for appointment, a
616 family support magistrate must have engaged in the practice of law for
617 five years prior to [his] appointment and shall be experienced in the
618 field of family law. [He] The family support magistrate shall devote
619 full time to [his] the duties [as] of a family support magistrate and shall
620 not engage in the private practice of law. A family support magistrate
621 may be removed from office by the Governor for cause.

622 Sec. 25. Subsection (l) of section 46b-231 of the general statutes is
623 repealed and the following is substituted in lieu thereof (*Effective*
624 *October 1, 2011*):

625 (l) The judges of the Superior Court shall adopt rules of procedure
626 in accordance with the provisions of section 51-14 for the handling by
627 magistrates of IV-D support cases and in cases brought pursuant to
628 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
629 act. Such rules of procedure shall conform when applicable to rules

630 adopted for the Superior Court.

631 Sec. 26. Subdivision (2) of subsection (m) of section 46b-231 of the
632 general statutes is repealed and the following is substituted in lieu
633 thereof (*Effective October 1, 2011*):

634 (2) (A) Family support magistrates shall hear and determine matters
635 involving child and spousal support in IV-D support cases including
636 petitions for support brought pursuant to sections 17b-81, 17b-179, as
637 amended by this act, 17b-745, as amended by this act, and 46b-215, as
638 amended by this act; applications for show cause orders in IV-D
639 support cases brought pursuant to subsection (b) of section 46b-172, as
640 amended by this act, and actions for interstate enforcement of child
641 and spousal support and paternity under sections 46b-212 to [46b-
642 213v] 46b-213w, inclusive, as amended by this act, and shall hear and
643 determine all motions for modifications of child and spousal support
644 in such cases.

645 (B) In all IV-D support cases, family support magistrates shall have
646 the authority to order any obligor who is subject to a plan for
647 reimbursement of past-due support and is not incapacitated [.] to
648 participate in work activities which may include, but shall not be
649 limited to, job search, training, work experience and participation in
650 the job training and retraining program established by the Labor
651 Commissioner pursuant to section 31-3t.

652 (C) A family support magistrate shall not modify an order for
653 periodic payment on an arrearage due the state for state assistance
654 which has been discontinued to increase such payments, unless the
655 family support magistrate first determines that the state has made a
656 reasonable effort to notify the current recipient of child support, at the
657 most current address available to the IV-D agency, of the pendency of
658 the motion to increase such periodic arrearage payments and of the
659 time and place of the hearing on such motion. If such recipient
660 appears, either personally or through a representative, at such hearing,
661 the family support magistrate shall determine whether the order in
662 effect for child support is reasonable in relation to the current financial

663 circumstances of the parties, prior to modifying an order increasing
664 such periodic arrearage payments.

665 Sec. 27. Subsection (s) of section 46b-231 of the general statutes is
666 repealed and the following is substituted in lieu thereof (*Effective*
667 *October 1, 2011*):

668 (s) Support enforcement officers of Support Enforcement Services of
669 the Superior Court shall:

670 (1) Supervise the payment of any child or spousal support order
671 [made by a family support magistrate] in IV-D support cases and cases
672 under sections 46b-212 to 46b-213w, inclusive, as amended by this act.
673 Supervision of such orders is defined as the utilization of all
674 procedures available by law to collect child or spousal support, or
675 enforce medical support including (A) issuance and implementation of
676 income withholdings ordered by the Superior Court or a family
677 support magistrate pursuant to section 52-362, as amended by this act,
678 (B) issuance of an order requiring any party to appear before a family
679 support magistrate on an action to modify a support order pursuant to
680 subdivision (4) of this subsection, (C) issuance of a *capias mittimus*
681 directed to a proper officer to arrest an obligor or witness and bring
682 such obligor or witness before a family support magistrate if such
683 obligor or witness is served with a summons, subpoena, citation or
684 order to appear issued by a family support magistrate, the assistant
685 clerk of the Family Support Magistrate Division or a support
686 enforcement officer and fails to appear, (D) if necessary, bringing an
687 application for contempt to a family support magistrate and, in
688 connection with such application, issuing an order requiring the
689 obligor to appear before a family support magistrate to show cause
690 why such obligor should not be held in contempt for failure to pay an
691 order for child or spousal support entered by the Superior Court or a
692 family support magistrate, and (E) issuance of a National Medical
693 Support Notice in accordance with section 46b-88;

694 (2) In [non-TANF] non-TFA cases, have the authority to bring
695 petitions for support orders pursuant to section 46b-215, as amended

696 by this act, file agreements for support with the assistant clerk of the
697 Family Support Magistrate Division, and bring applications for show
698 cause orders pursuant to section 46b-172, as amended by this act, and
699 in IV-D support cases and cases under sections 46b-212 to 46b-213w,
700 inclusive, as amended by this act, enforce foreign support orders
701 registered with the Family Support Magistrate Division pursuant to
702 sections 46b-213f to 46b-213i, inclusive, and file agreements for support
703 with the assistant clerk of the Family Support Magistrate Division;

704 (3) In connection with any order or agreement entered by, or filed
705 with, the Family Support Magistrate Division, or any order entered by
706 the Superior Court in a IV-D support case, upon order, investigate the
707 financial situation of the parties and report findings to the family
708 support magistrate regarding: (A) Any pending motion to modify such
709 order or agreement; or (B) any request or application for modification
710 of such order or agreement made by an obligee;

711 (4) Review child support orders (A) in [non-TANF] non-TFA IV-D
712 support cases (i) at the request of either parent or custodial party
713 subject to a support order, or (ii) upon receipt of information
714 indicating a substantial change in circumstances of any party to the
715 support order, (B) in [TANF] TFA cases, at the request of the Bureau of
716 Child Support Enforcement, or (C) as necessary to comply with federal
717 requirements for the child support enforcement program mandated by
718 Title IV-D of the Social Security Act, and initiate an action before a
719 family support magistrate to modify such support order if it is
720 determined upon such review that the order substantially deviates
721 from the child support guidelines established pursuant to section 46b-
722 215a, [or 46b-215b] as amended by this act. A requesting party under
723 subparagraph (A)(i) or (B) of this subdivision shall have a right to such
724 review every three years without proving a substantial change in
725 circumstances, but more frequent reviews shall be made only if such
726 requesting party demonstrates a substantial change in circumstances.
727 There shall be a rebuttable presumption that any deviation of less than
728 fifteen per cent from the child support guidelines is not substantial and
729 any deviation of fifteen per cent or more from the guidelines is

730 substantial. Modification may be made of such support order without
731 regard to whether the order was issued before, on or after May 9, 1991.
732 In determining whether to modify a child support order based on a
733 substantial deviation from such child support guidelines,
734 consideration shall be given to the division of real and personal
735 property between the parties set forth in any final decree entered
736 pursuant to chapter 815j and the benefits accruing to the child as the
737 result of such division. No order for periodic payment of support may
738 be subject to retroactive modification, except that the family support
739 magistrate may order modification with respect to any period during
740 which there is a pending motion for modification of a support order
741 from the date of service of notice of such pending motion to the
742 opposing party pursuant to section 52-50.

743 Sec. 28. Subsection (t) of section 46b-231 of the general statutes is
744 repealed and the following is substituted in lieu thereof (*Effective*
745 *October 1, 2011*):

746 (t) The Attorney General shall:

747 (1) Represent the interest of the state in all actions for child or
748 spousal support in all cases in which the state is furnishing or has
749 furnished aid or care to one of the parties to the action or a child of one
750 of the parties;

751 (2) In interstate support enforcement under sections 46b-212 to [46b-
752 213v] 46b-213w, inclusive, as amended by this act, provide necessary
753 legal services on behalf of the support enforcement agency in
754 providing services to a petitioner; and

755 (3) Represent the IV-D agency in providing support enforcement
756 services in [non-TANF] non-TFA IV-D support cases pursuant to
757 sections 17b-179, as amended by this act, 17b-745, as amended by this
758 act, and 46b-215, as amended by this act.

759 Sec. 29. Subsection (f) of section 52-57 of the general statutes is
760 repealed and the following is substituted in lieu thereof (*Effective*

761 October 1, 2011):

762 (f) When the other methods of service of process provided under
763 this section or otherwise provided by law cannot be effected, in actions
764 concerning the establishment, enforcement or modification of child
765 support orders other than actions for dissolution of marriage,
766 including, but not limited to, such actions under sections 17b-122, 17b-
767 124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-
768 197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340
769 to 17b-350, inclusive, 17b-689b, 17b-743 to 17b-747, inclusive, as
770 amended by this act, and 46b-212 to [46b-213v] 46b-213w, inclusive, as
771 amended by this act, and chapters 815, 815p, 815t, 815y and 816, and
772 actions to implement garnishments for support under section 52-362,
773 as amended by this act, service of process may be made upon a party
774 to the action by one of the following methods, provided proof of
775 receipt of such process by such party is presented to the court in
776 accordance with rules promulgated by the judges of the Superior
777 Court:

778 (1) By certified mail to a party to the action addressed to the
779 employer of such party. Any service of process so sent shall include on
780 the outside envelope the words "To be delivered to the employee in
781 accordance with subsection (f) of section 52-57". The employer shall
782 accept any such service of process sent by certified mail and promptly
783 deliver such certified mail to the employee; or

784 (2) When a party to an action under this subsection is employed by
785 an employer with fifteen or more employees, by personal service upon
786 an official of the employer designated as an agent to accept service of
787 process in actions brought under this subsection. [Every] Each
788 employer with fifteen or more employees doing business in this state
789 shall designate an official to accept service of process for employees
790 who are parties to such actions. The person so served shall promptly
791 deliver such process to the employee.

792 Sec. 30. Subsection (a) of section 52-251d of the general statutes is
793 repealed and the following is substituted in lieu thereof (*Effective*

794 *October 1, 2011*):

795 (a) In any civil action to establish paternity or to establish, modify or
796 enforce child support orders in [TANF] temporary family assistance
797 cases pursuant to sections 17b-745, as amended by this act, 46b-86, as
798 amended by this act, 46b-160, 46b-171, as amended by this act, 46b-172,
799 as amended by this act, 46b-215, as amended by this act, and 46b-231,
800 as amended by this act, the court may allow the state, when it is the
801 prevailing party, a reasonable attorney's fee.

802 Sec. 31. Subsection (n) of section 52-362 of the general statutes is
803 repealed and the following is substituted in lieu thereof (*Effective*
804 *October 1, 2011*):

805 (n) When a support order is issued in another state and the obligor
806 has income subject to withholding derived in this state, such income
807 shall be subject to withholding in accordance with the provisions of
808 this section, upon the registration of the support order in accordance
809 with sections 46b-213g to 46b-213j, inclusive. Notice of rights to the
810 obligor and the obligor's right to contest such order are governed by
811 sections 46b-213k to [46b-213m] 46b-213n, inclusive.

812 Sec. 32. Subsections (d) and (e) of section 52-362f of the general
813 statutes are repealed and the following is substituted in lieu thereof
814 (*Effective October 1, 2011*):

815 (d) When a support order is issued in another jurisdiction and the
816 obligor has income subject to withholding in accordance with the
817 provisions of section 52-362, as amended by this act, Support
818 Enforcement Services shall, upon receiving a support order of another
819 jurisdiction with the documentation specified in this subsection from
820 an agency of another jurisdiction, or from an obligee, an obligor or an
821 attorney for either the obligee or obligor, file such support order and
822 documents in the registry maintained by Support Enforcement
823 Services. Documentation required for the entry of a support order for
824 another jurisdiction for the purpose of withholding of income shall
825 comply with the requirements of section [46b-213i] 46b-213h. If the

826 documentation received by Support Enforcement Services does not
827 conform to those requirements, Support Enforcement Services shall
828 remedy any defect which it can without the assistance of the obligee or
829 requesting agency or person. If Support Enforcement Services is
830 unable to make such corrections, the requesting agency or person shall
831 immediately be notified of the necessary additions or corrections.
832 Support Enforcement Services shall accept the documentation required
833 by this subsection as long as the substantive requirements of this
834 subsection are met.

835 (e) A support order registered under subsection (d) of this section
836 shall be enforceable by withholding in the manner and with the effect
837 as set forth for registered support orders of another jurisdiction
838 pursuant to section 52-362, as amended by this act. A support order
839 from another jurisdiction filed under this section shall not be subject to
840 modification by a court or other agency of this state except as provided
841 in sections 46b-213o to [46b-213q] 46b-213r, inclusive. Entry of the
842 order shall not confer jurisdiction on any court of this state for any
843 purpose other than withholding of income.

844 Sec. 33. Section 52-362i of the general statutes is repealed and the
845 following is substituted in lieu thereof (*Effective October 1, 2011*):

846 If the court or family support magistrate finds that (1) an obligor is
847 delinquent on payment of child support, and (2) future support
848 payments are in jeopardy, or (3) the obligor has exhibited or expressed
849 an intention not to pay any such support, the court or family support
850 magistrate may order the obligor to provide a cash deposit not to
851 exceed the amount of four times the current monthly support and
852 arrearage obligation, to be held in escrow by the [Connecticut] Bureau
853 of Child Support Enforcement [Bureau] or Support Enforcement
854 Services. Any funds from such cash deposit may be disbursed by the
855 [Connecticut] Bureau of Child Support Enforcement [Bureau] or
856 Support Enforcement Services to the custodial parent upon a
857 determination by said [support enforcement] bureau or Support
858 Enforcement Services that the obligor has failed to pay the full amount

859 of the monthly support obligation. Payment shall be in an amount that,
 860 when combined with the obligor's payment, would not exceed the
 861 monthly support obligation. Payment from such cash deposit shall not
 862 preclude a finding of delinquency during the period of time in which
 863 the obligor failed to pay current support.

| | | |
|---|-----------------|-------------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2011 | 11-4a |
| Sec. 2 | October 1, 2011 | 17b-179(b) to (i) |
| Sec. 3 | October 1, 2011 | 17b-179(l) |
| Sec. 4 | October 1, 2011 | 17b-179(n) |
| Sec. 5 | October 1, 2011 | 17b-745(b) |
| Sec. 6 | October 1, 2011 | 46b-56c(b)(4) |
| Sec. 7 | October 1, 2011 | 46b-62 |
| Sec. 8 | October 1, 2011 | 46b-86(c) |
| Sec. 9 | October 1, 2011 | 46b-130 |
| Sec. 10 | October 1, 2011 | 46b-168a(a) |
| Sec. 11 | October 1, 2011 | 46b-170 |
| Sec. 12 | October 1, 2011 | 46b-171(a)(3) |
| Sec. 13 | October 1, 2011 | 46b-172(b)(1) |
| Sec. 14 | October 1, 2011 | 46b-172(c)(1) |
| Sec. 15 | October 1, 2011 | 46b-207 |
| Sec. 16 | October 1, 2011 | 46b-208 |
| Sec. 17 | October 1, 2011 | 46b-213d(a) |
| Sec. 18 | October 1, 2011 | 46b-215(b) |
| Sec. 19 | October 1, 2011 | 46b-215(e) |
| Sec. 20 | October 1, 2011 | 46b-215a |
| Sec. 21 | October 1, 2011 | 46b-215b |
| Sec. 22 | October 1, 2011 | 46b-215c |
| Sec. 23 | October 1, 2011 | 46b-231(b) |
| Sec. 24 | October 1, 2011 | 46b-231(f) |
| Sec. 25 | October 1, 2011 | 46b-231(l) |
| Sec. 26 | October 1, 2011 | 46b-231(m)(2) |
| Sec. 27 | October 1, 2011 | 46b-231(s) |
| Sec. 28 | October 1, 2011 | 46b-231(t) |
| Sec. 29 | October 1, 2011 | 52-57(f) |
| Sec. 30 | October 1, 2011 | 52-251d(a) |
| Sec. 31 | October 1, 2011 | 52-362(n) |

| | | |
|---------|------------------------|--------------------|
| Sec. 32 | <i>October 1, 2011</i> | 52-362f(d) and (e) |
| Sec. 33 | <i>October 1, 2011</i> | 52-362i |

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill makes a variety of technical and conforming changes to the child support statutes. There is no fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sHB 6591*****AN ACT CONCERNING MINOR AND TECHNICAL CHANGES TO
THE CHILD SUPPORT STATUTES.*****SUMMARY:**

This bill:

1. permits the Department of Social Services (DSS) to file annual child support enforcement program reports electronically;
2. broadens the scope of Title IV-E foster care support cases by including all cases, not just those referred to DSS' Bureau of Child Support Enforcement;
3. extends Uniform Interstate Family Support Act rules and procedures to enforcing and collecting wage withholding orders;
4. explicitly recognizes support orders from another state's administrative agency of competent jurisdiction;
5. specifies that in cases involving out-of-state obligors and in-state property, court confirmation of a registered order precludes any contest that could have been raised at the time of registration;
6. requires motions to modify Medicaid obligations to be filed with the Family Support Magistrate Division of the Superior Court;
7. specifies that parents must help the Department of Children and Families recoup foster care costs and adopts a formula that went into effect on October 1, 2008 for such collections;

8. authorizes alternative methods of serving legal process to initiate wage withholding when standard methods fail; and
9. makes several changes affecting the Commission for Child Support Guidelines.

It also makes minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2011

COMMISSION FOR CHILD SUPPORT GUIDELINES

The bill makes several unrelated changes to statutes governing the Commission for Child Support Guidelines. It specifies that the guidelines must be based on the incomes of both parents with respect to current support, health care coverage, child care contributions, and arrearage payments. These have been adopted as regulations as part of the current guideline formula.

The bill allows the Connecticut Bar Association, rather than the governor, to name its own representative to the commission.

It requires the DSS commissioner to convene the commission whenever a review is required to update the guidelines, which is statutorily required every four years.

The bill specifies that, as long as nine of the 11 commission positions are filled, their actions are not invalidated by vacancies.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 45 Nay 0 (04/14/2011)